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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	) Case No. 3:21-cr-00109-SLG-KFR
	)
Plaintiff,	) <u>COUNT 1:</u>
	) CONSPIRACY TO COMMIT
	) DEPREDATION AGAINST
	) PROPERTY OF THE UNITED
v.	) STATES
	) Vio. of 18 U.S.C. § 371
	)
JAMES DAREN WITHROW, and	) <u>COUNT 2:</u>
BRUCE ARTHUR JACKSON, a/k/a	) DEPREDATION AGAINST
“Bruce Baker”,	) PROPERTY OF THE UNITED
	) STATES
	) Vio. of 18 U.S.C. §§ 1361 and 2
	)
Defendants.	) <u>COUNT 3:</u>
	) FALSE STATEMENT
	) Vio. of 18 U.S.C. § 1001 (a)(2)
	)

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I N D I C T M E N T

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown, but continuing to on or about June 2, 2018, in the District of Alaska and elsewhere, the defendants, JAMES DAREN WITHROW (“WITHROW”), and BRUCE ARTHUR JACKSON (“JACKSON”), a/k/a “Bruce Baker,” did knowingly combine, conspire, confederate and agree with each other, and with others known and unknown to the grand jury, to willfully dispose of fifteen 55-gallon drums of an oily substance at the Granite Creek Recreation Area, Chugach National Forest, causing their contents to leak onto the property owned by the United States Forest Service, thereby causing damage in excess of \$1,000, to wit, approximately \$80,000.

In furtherance of the conspiracy, and to achieve its objectives, the defendants committed the following overt acts, to wit:

OA 1. On or about May 31, 2018, in Seward, Alaska, WITHROW and JACKSON removed from JACKSON’S property seventeen 55-gallon drums filled with an oily substance and placed them on a tractor trailer being driven by WITHROW. JACKSON accompanied WITHROW in the truck from Seward, Alaska to Anchorage, Alaska.

OA 2. On or about June 1, 2018, WITHROW left Anchorage, Alaska and proceeded down the Seward Highway in the tractor trailer loaded with the

seventeen 55-gallon drums removed from JACKSON'S property the day before. At approximately mile 62 of the Seward Highway, WITHROW drove the tractor trailer off the Seward Highway down a marked "No Dumping" "No Public Access" road where he parked the tractor trailer and dumped fifteen of the seventeen 55-gallon drums onto the property of the U.S. Forest Service, contaminating the ground with the oily contents.

OA 3. At a time unknown to the grand jury, but prior to June 1, 2018, WITHROW and JACKSON discussed how to dispose of the seventeen 55-gallon drums and their contents. From this conversation JACKSON knew that WITHROW would be illegally disposing the seventeen barrels and their contents, in violation of 18 U.S.C. § 1361.

All of which is in violation of 18 U.S.C. § 371.

## COUNT 2

From on or about May 31, 2018 and continuing through on or about June 1, 2018, within the boundaries of the Chugach National Forest, within the District of Alaska, defendants, JAMES DAREN WITHROW ("WITHROW") and BRUCE ARTHUR JACKSON ("JACKSON"), a/k/a "Bruce Baker," aiding and abetting one another, did willfully injure surface resources in the Granite Creek Recreation Area, within the Chugach National Forest, to wit, on May 31, 2018, at a property owned by JACKSON in Seward, Alaska, WITHROW and JACKSON loaded approximately seventeen 55-gallon drums, each containing an oily substance, onto a tractor trailer,

knowing and agreeing that WITHROW would be willfully and illegally disposing of the seventeen 55-gallon drums and their oily contents. Thereafter, on June 1, 2018 WITHROW caused the oily contents of fifteen 55-gallon drums to leak onto property owned by the United States Forest Service at Granite Creek Recreation Area, within the Chugach National Forest, Alaska, thereby causing damage in excess of \$1,000, to wit, approximately \$80,000.

All of which is in violation of 18 U.S.C. §§ 1361 and 2.

COUNT 3

On or about June 7, 2018, in the District of Alaska, the defendant, JAMES DAREN WITHROW (“WITHROW”), did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, that being the United States Forest Service, when in truth and in fact, WITHROW knew all such statements to be false, when WITHROW falsely claimed to a U.S. Forest Service Law Enforcement Officer that he had been hired to pick up the 55-gallon drums and transport them back to Anchorage, when in fact WITHROW had transported the barrels to the Granite Creek Recreation Area, Chugach National Forest, Alaska, with the intent to dispose of them and did, in fact, dispose of the drums unlawfully.

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All of which is in violation of 18 U.S.C. § 1001 (a)(2).

A TRUE BILL.

s/ Grand Jury Foreperson  
GRAND JURY FOREPERSON

s/ Steven E. Skrocki  
STEVEN SKROCKI  
Assistant U.S. Attorney  
United States of America

s/ Charisse Arce  
CHARISSE ARCE  
Assistant U.S. Attorney  
United States of America

s/ Christina Sherman for  
E. BRYAN WILSON  
Acting United States Attorney  
United States of America

DATE: November 16, 2021